

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

10 CARRINGTON MORTGAGE SERVICES, LLC,      )      Case No. 2:15-cv-01377-JCM-NJK  
11    )  
12    )  
13    )  
14    )  
15    )  
vs.    )  
SFR INVESTMENTS POOL 1, LLC,              )      ORDER  
    )  
    )  
Defendant(s).                                      )      (Docket No. 30)  
\_\_\_\_\_  
    )

16    Pending before the Court is Defendant's motion for protective order related to a Rule 30(b)(6)  
17 deposition noticed for February 12, 2016. Docket No. 30. The motion appears aimed exclusively at  
18 arguing that certain deposition topics are not relevant to the "core" issue in this case, as Defendant  
19 appears to argue is required under Nevada statute. *See, e.g.*, Docket No. 30 at 4. As an initial matter,  
20 it does not appear that Nevada discovery standards apply in this case. *See, e.g., Muniz v. United Parcel*  
21 *Serv., Inc.*, 2011 WL 311374, \*2 (N.D. Cal. Jan. 28, 2011) ("In a diversity action, discovery is a  
22 procedural matter governed by federal law"); *see also* Docket No. 1 ¶ 3 (alleging not only diversity  
23 jurisdiction, but also federal question jurisdiction). While the motion's standards section and arguments  
24 are scant, it appears they are based on the incorrect application of state discovery rules. As such, the  
25 pending motion is hereby **DENIED** without prejudice. Any refiled motion must address and apply  
26 federal standards, or explain why Defendant believes state standards apply in this case. To the extent  
27 Defendant believes its arguments are proper under the correct standards, it may file an amended motion  
28 for protective order no later than January 28, 2016.

In the event the motion for protective order is renewed, any response must be filed no later than February 3, 2016, and any reply must be filed no later than February 4, 2016.<sup>1</sup> The Court hereby SETS a hearing on any renewed motion for 2:00 p.m. on February 9, 2016, in Courtroom 3D.

IT IS SO ORDERED.

DATED: January 27, 2016

NANCY J. KOPPE  
United States Magistrate Judge

<sup>1</sup> Notwithstanding any contrary indications from the automatically-generated CM/ECF notices, the briefing schedule set in this order controls. See, e.g., *Carrillo v. B&J Andrews Enters., LLC*, 2013 U.S. Dist. Lexis 22010, \*2 (D. Nev. Feb. 19, 2013).